

### **REMARKS**

Claims 1-8, 12, 14-16, 18-20 and 22-23 are pending in the application. Claims 1, 5, 12 and 16 have been amended.

#### **Claim Rejections – Obviousness-type Double Patenting**

The Examiner has provisionally rejected claims 1-8, 12, 14-16, 18-20 and 22-23 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6, 12, 14-16, 18-23 of copending Application No. 09/817,271.

In response, applicant has filed a terminal disclaimer in compliance with 37 CFR 1.321(c).

#### **Claim Rejections – 35 U.S.C §112**

The Examiner has rejected Claims 1-8, 12, 14-16, 18 and 19 under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claims 1 and 5: Applicant has amended Claim 1 to recite “a third summer circuit” (emphasis added) and Claim 5 to eliminate the unnecessary recitation of “output signals.” Applicant believes that the amendments to Claims 1 and 5 place these claims and all associated dependent Claims in condition for allowance.

Regarding Claims 12 and 16 the Examiner remarks that these Claims “are indefinite because it is unclear as to what is summed, i.e. they call for summing the summation” (Office Action of August 18, 2004; page 3, lines 2-3). In response Applicant notes that both Claims 12 and 16 claim summing two sets of signals together: one set including pyramid filtered output signals corresponding to output signals produced by four one-dimensional pyramid filters and the other set including a pyramid filtered output signal corresponding to the summation of signal sample matrices. Thus, Applicant believes that Claims 12 and 16 clearly recites summing together five signals: four that are the output signals from one-dimensional pyramid filters and

one that is the result of summing signal sample matrices. Applicant has also amended Claims 12 and 16 to correct a typographical error and to emphasize that a pyramid filtered output signal results from the summation of signal sample matrices. In light of these amendments and the remarks above Applicant respectfully requests that the Examiner withdraw his rejection of Claims 12 and 16 and the associated dependent claims.

Application No. 09/823,212  
Reply to Office Action of August 18, 2004  
Attorney Docket: 42390.P11276

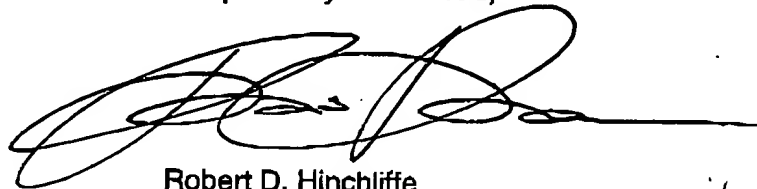
CONCLUSION

In view of the foregoing, it is respectfully asserted that all of the claims pending in this patent application are in condition for allowance.

Should it be determined that an additional fee is due under 37 CFR §§1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account #02-2666.

If the Examiner has any questions, he is invited to contact the undersigned at (503) 264-6473. Reconsideration of this patent application and early allowance of all the claims is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. D. Hinchliffe', with a long horizontal line extending to the right.

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